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Attorneys for Defendants
6047351 Canada, Inc., Richard A. Meltzer
and Shona Godwin

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DOMAIN CAPITAL, LLC AND DC	:	Civil Action No.
EQUITIES, LLC,	:	
Plaintiffs,	:	Electronically Filed
vs.	:	<u>NOTICE OF REMOVAL</u>
6047351 CANADA, INC., RICHARD A.	:	
MELTZER and SHONA GODWIN,	:	
Defendants.	:	

TO: The United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Clerk, Superior Court of New Jersey
Law Division: Bergen County
Courthouse
10 Main Street,
Hackensack, New Jersey 07601

Scott R. Matthews, Esq.
Sandy L. Galacio, Jr., Esq.
Windels Marx Lane & Mittendorf, LLP
Attorneys for Plaintiffs
Domain Capital, LLC and DC Equities, LLC

PLEASE TAKE NOTICE that Defendants 6047351 Canada, Inc., Richard A. Meltzer and Shona Godwin (collectively, "Defendants"), pursuant to 28 U.S.C. § 1332, § 1441, and § 1446, by and through their undersigned counsel, hereby give notice of the removal of this case to the United States District Court for the District of New Jersey and state:

1. On or about November 16, 2009, Plaintiffs filed a Summons and Verified Complaint (the "Complaint") in the Superior Court of New Jersey, Law Division, Bergen County, against Defendants at Docket No. BER-L-10012-09. Copies of the Summons and Verified Complaint are attached as Exhibit A.
2. The Summons and Complaint were first received by any of the Defendants no earlier than December 3, 2009.
3. Accordingly, this Notice of Removal is being filed within thirty days after receipt of the Complaint through service or otherwise as required by 28 U.S.C. § 1446(b).
4. Exhibit A constitutes all process, pleadings, and orders served on Defendants and filed in the Superior Court of New Jersey, Law Division, Bergen County.
5. This Court has original jurisdiction over the subject matter of Plaintiffs' Complaint under 28 U.S.C. § 1332 because there is complete diversity of citizenship between Plaintiffs and Defendants, and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

DIVERSITY OF CITIZENSHIP

6. Plaintiffs allege that they are limited liability companies organized under the laws of the State of Delaware with principal places of business located at 2050 Center Avenue, Suite 600 Fort Lee, New Jersey 07024. *See Exhibit A, Compl., ¶¶ 1-2.* Accordingly, upon information and belief, Plaintiffs are citizens of Delaware and New Jersey, now and at the time

this action was filed. *See id.*

7. Defendant 6047351 Canada, Inc. is a Canadian corporation with its principal place of business located in Montreal, Quebec, now and at the time this action was filed. *Id.* ¶ 3.

8. Defendant Richard A. Meltzer is a resident and citizen of Montreal, Quebec, now and at the time this action was filed. *Id.* ¶ 6.

9. Defendant Shona Godwin, Esq. is a resident and citizen of Montreal, Quebec, now and at the time this action was filed. *Id.* ¶ 8

10. Accordingly, complete diversity of citizenship exists between Plaintiffs and Defendants.

AMOUNT IN CONTROVERSY

11. Plaintiffs seek monetary and non-monetary damages from Defendants in an amount to be determine at trial. *See Id.*, Demand for Relief. Specifically, plaintiffs seek \$1,164,710.16 in connection with Count One of the Complaint against 6047351 Canada, Inc., \$200,000.00 in connection with Count Two of the Complaint against Richard A. Meltzer, \$200,000.00 in connection with Count Three of the Complaint against 6047351 Canada, Inc., \$200,000.00 in connection with Count Four of the Complaint against 6047351 Canada, Inc., \$200,000.00 in connection with Count Five of the Complaint against 6047351 Canada, Inc., \$1,250,000.00 in connection with Count Six of the Complaint against 6047351 Canada, Inc., \$200,000.00 in connection with Count Seven of the Complaint against 6047351 Canada, Inc., and \$1,164,710.16 in connection with Count Eight of the Complaint against Richard A. Meltzer and Shona Godwin. *Id.*

12. Thus, the amount in controversy exceeds the sum or value of \$75,000.

13. Accordingly, this Complaint is one over which this Court has original jurisdiction

under the provisions of 28 U.S.C. § 1332. By virtue of the provisions of 28 U.S.C. § 1441(a), this entire matter is one that may be removed to this Court.

14. A copy of this Notice of Removal will be filed promptly with the Clerk of the Superior Court, Law Division, Gloucester County, and served upon counsel for Plaintiffs, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendants 6047351 Canada, Inc., Richard A. Meltzer and Shona Godwin file this Notice seeking to remove this action from the Superior Court of New Jersey, Law Division, Bergen County.

Dated: January 4, 2010

Respectfully submitted,

McCARTER & ENGLISH, LLP

By: s/ B. John Pendleton, Jr.
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Attorneys for Defendants
6047351 Canada, Inc.,
Richard A. Meltzer and
Shona Godwin

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF REMOVAL** was served via overnight mail this 4th day of January, 2010, as follows:

Clerk, Superior Court of New Jersey
Law Division: Bergen County
Courthouse
10 Main Street,
Hackensack, New Jersey 07601

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s/ James V. Noblett
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